

## AMENDMENTS TO THE CLAIMS

1. (original) A breathable insole heater element formed from porous flexible metallised fabric, for use in an insole for footwear.
2. (original) An insole heater element according to claim 1 formed by photochemical etching of the metallised fabric.
3. (currently amended) An insole heater element according to ~~claim 1 or~~ claim 2 wherein the pattern of the heater element is selected so that a first part of the heater element provides a different heat output in use to that of a second part of the heater element.
4. (currently amended) An insole heater element according to ~~any one of claims 1 to 3~~ claim 1 having a thermal protection device to provide temperature control of the heater element.
5. (original) An insole heater element according to claim 4 wherein the thermal protection device is a surface mounted thermistor.
6. (currently amended) An insole heater element according to ~~any one of claims 1 to 5~~ claim 1 wherein the metallised fabric is coated with a continuous layer of metal.
7. (currently amended) An insole heater element according to ~~any one of claims 1 to 6~~ claim 1 wherein the fabric comprises yarns and/or fibres, the individual yarns or fibres being encapsulated in metal prior to manufacture of the fabric.

Serial No. n/a

8. (currently amended) An insole heater element according to ~~any one of claims 1 to 7~~ claim 1 wherein the fabric is any one of woven, non-woven, knitted, a laminated composite, pressed felt, braid.
9. (currently amended) An insole heater element according to ~~any one of claims 1 to 8~~ claim 1 wherein the fabric is woven from polyester threads and the metal is nickel.
10. (currently amended) An insole heater element according to ~~any one of claims 1 to 9~~ claim 1 having termination pads for connection of the heater element to a battery/control system.
11. (currently amended) An insole heater element according to ~~any one of claims 1 to 9~~ claim 1 having a flexible fabric connection member for protruding from the final insole so as to provide connection of the heater element to a battery/control system.
12. (currently amended) An insole for footwear including ~~an~~ a breathable insole heater element according to any one of claims 1 to 11 formed from porous flexible metallised fabric.
13. (original) An insole according to claim 12 wherein the insole heater element is laminated between a layer of insole face fabric and a backing layer.
14. (original) An insole according to claim 13 wherein the face fabric is attached to the heater element by a thermoplastic web.
15. (original) An insole according to claim 12 wherein the insole heater element is formed integrally with a component of the insole.

16. (currently amended) An insole according to ~~any one of claims 12 to 15~~ claim 12 having a thickness in the range 0.1 mm to 1.0 mm.

17. (currently amended) An insole according to ~~any one of claims 12 to 16~~ claim 12 wherein the heater element extends substantially the full length of the insole.

18. (currently amended) An insole according to ~~any one of claims 12 to 17~~ claim 12 wherein the heater element is configured so that the insole can be cut or trimmed to one of several possible shapes or sizes to fit an article of footwear without adversely affecting the operation of the heater element.

19. (currently amended) An insole according to ~~any one of claims 12 to 18~~ claim 12 having heat-activatable agents for release due to heat generated by the heater element.

20. (original) An insole according to claim 19 wherein the agents are selected from antimicrobials, insect repellents, fragrances, perfumes.

21. (currently amended) An insole according to claim 19 ~~or claim 20~~ wherein the agents are microencapsulated in microcapsules.

22. (original) An insole according to claim 21 wherein the microcapsules melt at an initiation temperature.

23. (original) An insole according to claim 21 wherein the microcapsules allow diffusion of the agent through their walls to effect a slow release mechanism within the insole at an initiation temperature.